

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
February 11, 2003, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation
 - Pledge of Allegiance
 - Approve the minutes of the previous meeting
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AWARDS AND PRESENTATIONS

- Corporate Partnership Award - CVB
 - Business Facilities Magazine – “Best of Show” Award
 - Proclamations
 - Distinguished Service Citations
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NEW BUSINESS

1. Resolution Considering Adoption of a Redevelopment Project Plan (Tax Increment Financing) for the Riverwalk (Waterwalk) Redevelopment Project for the East Bank Redevelopment District. (District I)

The proposed Resolution establishes a public hearing on March 18, 2003, at 9:30 a.m. or thereafter, to consider the Tax Increment Financing Redevelopment Plan.

RECOMMENDED ACTION: Adopt the Resolution.

2. Home Occupation License Fee.

City Code Chapter 3.96 is being amended to more accurately represent the cost of annual license review and approval, as well as any related regulatory.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

3. Naming of Seneca Street Bridge.

RECOMMENDED ACTION: Designate Seneca Street Bridge name.

4. Convention and Visitors Bureau Contract.

The proposed 2003 Contract will continue marketing efforts and focus on priority projects contained in the Strategic Master Plan for Tourism.

RECOMMENDED ACTION: Approve the Contract; authorize the necessary signatures.

CITY COUNCIL AGENDA

5. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

6. Report of the Board of Bids and Contracts Dated February 10, 2003.

RECOMMENDED ACTION: Receive and file report; approve Contracts; authorize necessary signatures.

7. Application for License for Adult Entertainment Establishments/Services:

Renewal - Adult Entertainment

Robert F. Floyd	Kellogg Gift Shop Inc.	6143 West Kellogg
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RECOMMENDED ACTION: Approve license subject to Staff review and approval.

8. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2003</u>	<u>(Consumption on Premises)</u>
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Arounh Sengeevony	Bangkok Restaurant*	2020 South Rock #50
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<u>Renewal</u>	<u>2003</u>	<u>(Consumption off Premises)</u>
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Jay D. Brichacek	On the Road Inc.	550 North Webb Road
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*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

9. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

10. Preliminary Estimates:

- a) Lateral 32 Cowskin Interceptor Sewer to serve Southern Ridge Addition - south of Pawnee, west of Maize. (468-83548/743965/480653) Does not affect existing traffic. (District V) - \$455,000.00
- b) Lateral 42, Main 24 War Industries Sewer to serve Wilson Estates Medical Park - south of 21st Street North, west of Webb Road. (468-83563/743963/480651) Does not affect existing traffic. (District II) - \$82,000.00
- c) Main 14 Four Mile Creek Sewer to serve Reed's Cove Addition - south of 21st Street North, east of 127th Street East. (468-83565/743961/480649) Does not affect existing traffic. (District II) - \$313,000.00
- d) Lateral 1, Main 14 Four Mile Creek Sewer to serve Reed's Cove Addition - south of 21st Street North, east of 127th Street East. (468-83566/743962/480650) Does not affect existing traffic. (District II) - \$338,000.00
- e) Water distribution system to serve Wilson Estates Medical Park - south of 21st Street North, west of Webb Road. (448-89761/735100/470770) Does not affect existing traffic. (District II) - \$70,000.00
- f) Water distribution system to serve Hawthorne Addition - north of 21st Street North, east of 127th Street East. (448-89727/735086/470756) Does not affect existing traffic. (District II) - \$57,000.00
- g) Water distribution system #448-89732 to serve Hawthorne Addition - north of 21st Street North, east of 127th Street East. (448-89732/735088/470758) Does not affect existing traffic. (District II) - \$31,000.00
- h) Water distribution system #448-89735 to serve Hawthorne Addition - north of 21st Street North, east of 127th Street East. (448-89735/735089/470759) Does not affect existing traffic. (District II) - \$67,000.00
- i) Water distribution system #448-89736 to serve Hawthorne Addition - north of 21st Street North, east of 127th Street East. (448-89736/735090/470760) Does not affect existing traffic. (District II) - \$36,000.00.
- j) Water main In Gold Street, MacArthur to 35th Street South to serve South High School Addition - along Gold Street, north of MacArthur. (448-89694/448-89743/633751/735094/752845) Traffic to be maintained during construction using flagpersons and barricades. (District IV) - \$226,596.40
- k) 21st Street from Maize to 119th - Phase 2 Landscaping. (472-83138/706814/201279) Does not affect traffic. (District V) - \$57,740.00
- l) Lateral 40, Main 15 Southwest Interceptor Sewer to serve Reflection Ridge Third Addition - north of 21st Street North, east of Tyler. (468-83537/743966/480654) Does not affect traffic. (District V) - \$26,000.00
- m) Lateral 328 Four Mile Creek Sewer to serve Balthrop 4th Addition - north of Central, west of K-96. (468-83391/743956/480644) Does not affect traffic. (District II) - \$94,900.00
- n) Storm Water Drain #197 to serve Wilson Estates Medical Park - south of 21st Street North, west of Webb Road. (468-83564/751323/485214) Does not affect traffic. (District II) - \$182,000.00
- o) Storm Water Sewer #570 to serve Fossil Rim Estates - south of 29th Street North, east of Tyler. (468-83449/751318/485209) Does not affect traffic. (District V) - \$779,000.00

(Item 10 continued)

- p) Water distribution system to serve Reflection Ridge Third Addition - north of 21st Street North, east of Tyler. (448-89751/735102/470772) Does not affect traffic. (District V) - \$32,500.00
- q) Water distribution system to serve Balthrop 4th Addition - north of Central, west of K-96. (448-89655/735091/470761) Does not affect traffic. (District II) - \$60,000.00
- r) Water distribution system to serve Reed's Cove Addition - south of 21st Street North, east of 127th Street East. (448-89764/735099/470769) Does not affect traffic. (District II) - \$160,000.00.
- s) Water main replacement for the Mission Heights Area - between Kellogg and Lincoln, from Quentin to Edgemoor. (448-89416/636090/779170) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$2,063,000.00
- t) Water line along Bebe from Central to Elm, and along Elm from Bebe to approx. 630 ft. west of Bebe to serve Sunnyside Gardens Addition - along Bebe, north of Central. (448-89709/735080/470750) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$51,000.00
- u) 2003 street rehabilitation: Meridian, Kellogg Drive & 127th Street East - north of MacArthur - east of West Street. (472-83672/706850/203316) Traffic to be maintained during construction using flagpersons and barricades. (District II, IV) - \$300,000.00
- v) Cranbrook from the south line of 21st Street North to the south line of Lot 1, Block 6; Churchill /Shadybrook from the westerly line of Cranbrook to the west line of Lot 4, Block 1; 19th Street North from the west line of 19th Court North to the east line of Lot 1, Block 6; 19th Court North from the south line of 19th Street North to and including the cul-de-sac; sidewalk along the west line of Cranbrook and the south line of 19th Street North to serve Remington Place Addition - east of Webb, south of 21st Street North. (472-8376/765763/490874) Does not affect traffic. (District II) - \$625,000.00
- w) Shadybrook/Lindberg from the east line of Cranbrook to the east line of Cranbrook to serve Remington Place Addition - east of Webb, south of 21st Street North. (472-83377/765764/490876) Does not affect traffic. (District II) - \$115,000.00
- x) Storm Water Drain #166 to serve Remington Place Addition - east of Webb, south of 21st Street North. (468-83253/751322/485213) Does not affect traffic. (District II) - \$225,892.00
- y) Spyglass, from the south line of Lot 49, Block 7 to the south line of Blade; Spyglass Court, from the south line of Spyglass to and including cul-de-sac; Blade, from the west line of Spyglass to the west line of Lot 38, Block 2; Millrun, from the east line of Spyglass to the east line of Lot 16, Block 4; and Millrun Court, from the south line of Millrun to and including cul-de-sac to serve Sawmill Creek Addition - north of 45th Street North, east of Rock. (472-83624/765757 /490668) Does not affect traffic. (District II) - \$488,000.00
- z) Installation of water main in Maize Road from 29th Street North to 37th Street North (District V) - along Maize Road from 29th Street North to 37th Street North. (448-89752/633754/752869) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$390,000.00

RECOMMENDED ACTION: Approve and file.

11. Deeds and Easements:

- a) Easement dated December 16, 2002 from USD 259 for a tract of land located in Bryant-Hadley Addition (adjacent to Eberly Addition), Wichita, Sedgwick County, Kansas (Private Project, OCA # 607861). No cost to City.
- b) Easement dated December 3, 2002 from Lawrence M. Holzman, Jr. for a tract of land located in the Southwest Quarter of Section 26, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas (Private Project, OCA # 607861). No cost to City.
- c) Easement dated December 16, 2002 from Ron Smith, President, Smith & Company for a tract of land located in Lot 23, Block 2, Smithmoor 10th Addition, Sedgwick County, Kansas (Private Project, OCA # 607861). No cost to City.
- d) Easement dated December 16, 2002 from Ron Smith, President, Smith & Company for a tract of land located in Lot 26, Block 2, Smithmoor 10th Addition, Sedgwick County, Kansas (Private Project, OCA # 607861). No cost to City.
- e) Sanitary Sewer Easement dated January 17, 2003 from Newmarket Square, Ltd., a Kansas Corporation for a tract of land in the north half of the Northeast Quarter of Section 6, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas (Main 6, NW Interceptor Sewer, OCA # 743925). No cost to City.
- f) Sanitary Sewer Easement dated January 17, 2003 from Newmarket Square, Ltd., a Kansas Corporation for a tract of land in the north half of the Northeast Quarter of Section 6, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas (Main 6, NW Interceptor Sewer, OCA # 743925). No cost to City.

RECOMMENDED ACTION: Accept documents.

12. Petitions for Public Improvements:

- a) Street paving to serve Remington Place Second Addition – south of 21st, east of Webb. (District II)
- b) Pave Waterfront Parkway in the Waterfront Addition – north of 13th, east of Webb. (District II)
- c) Sanitary sewer to serve part of S & G Industrial Addition – 47th Street South, east of Hydraulic. (District III)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

13. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

14. Agreements/Contracts:

- a) Respread assessments – Great Plains Business Park Second Addition – east of Oliver, south of 37th Street North. (District I)
- b) Respread assessments – Bradley Fair Fourth Addition – south of 21st Street North, east of Rock Road; and Legacy Park Wilson Estates Addition – south of 21st Street North, west of Webb Road. (District II)
- c) Release of hardship deferral lien.
- d) Renewal of Special Liquor Tax Fund Contracts.
- e) Street resurfacing on 47th Street South, from Broadway to I-135/235 Interchange. (Districts III and IV)
- f) Century II catering amendment.
- g) World Trade Center.
- h) Riverside Park supplemental.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

15. Design Services Agreements:

- a) Remington Place Addition – east of Webb, south of 21st. (District II)
- b) Falcon Falls Addition – south of 53rd North, west of Hillside. (District I)
- c) Tara Falls Addition – south of Harry, east of Greenwich. (District I)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

16. Change Orders:

- a) Brooks Landfill operations and closure. (District VI)
- b) Art Museum modification/expansion. (District VI)

RECOMMENDED ACTION: Approve the Change Order and budget transfers; authorize signatures.

17. Consultant – Design Services for the Seneca project.

RECOMMENDED ACTION: Approve the consultant and contract; authorize signatures.

18. Water Taste and Odor Treatment Study.

RECOMMENDED ACTION: Authorize consultant selection.

19. Elevated Potable Water Storage Tank CIP Amendment.

RECOMMENDED ACTION: Approve the CIP Amendments;
adopt Resolutions.

20. Firefighter's Relief Fund Declaration for 2003.

RECOMMENDED ACTION: Approve the Declaration and submittal;
authorize necessary signatures.

21. Settlement of Litigation.

RECOMMENDED ACTION: Authorize payment.

22. Payment of Condemnation Award – Property in Connection with East Kellogg Improvements. (District II)

RECOMMENDED ACTION: Authorize payment.

23. Property Acquisition:

a) Land in the 300 block of north Hillside. (District II)

b) Utilities Easement from Maize School.

RECOMMENDED ACTION: Approve budgets and Contracts; authorize
necessary signatures.

24. Proposed Assessment Rolls.

Proposed Assessment Rolls have been prepared for forty-one (41) water projects, twenty eight (28) sewer projects and eleven (11) storm sewer projects and it is necessary to set a public hearing date. Informal hearing with City personnel will be held March 3, 2003 at 11:00 a.m.

RECOMMENDED ACTION: Set the hearing on the Proposed Assessment
Rolls for 9:30 a.m., Tuesday, April 1, 2003,
and authorize publication of the notices.

25. Amending Resolutions:

- a) North Branch Library.
- b) Fire apparatus.

RECOMMENDED ACTION: Adopt the Resolutions.

26. Second Reading Ordinances: (First read February 4, 2003)

- a) Industrial Revenue Refunding Bonds – Envision, Inc. (District III)

An Ordinance authorizing the City of Wichita, Kansas to issue its Industrial Revenue Refunding Bonds, Series I, 2003 (Envision, Inc.) in the aggregate principal amount of \$3,035,000 for the purpose of providing funds to refund on a current basis certain Industrial Revenue Bonds, Series III, 1999 of the City and to pay certain costs of issuance; prescribing the form and authorizing execution of a Second Supplemental Trust Indenture between the City and Intrust Bank, N.A, Wichita, Kansas, as Trustee; prescribing the form and authorizing execution of a Second Supplemental Lease Agreement by and between the City and Envision, Inc.; approving the form of a Guaranty Agreement between Envision, Inc., as Guarantor, and Intrust Bank, N.A., Wichita, Kansas, as Trustee; prescribing the form and authorizing the execution of a Bond Purchase Agreement between the City, Envision, Inc., and Gold Capital Management, Inc., as purchaser of the Series I, 2003 Bonds.

- b) Industrial Revenue Refunding and Improvement Bonds – Typed Letters Corporation. (District V)

An Ordinance of the City of Wichita, Kansas, authorizing the issuance of \$1,540,000 aggregate principal amount of Industrial Revenue Refunding and Improvement Bonds, Series II, 2003 (Typed Letters Corporation Project) for the purpose of providing funds to (1) refund on a current basis certain Industrial Revenue Refunding Bonds, Series VII-A, 1997 (Typed Letters Corporation) of the City and (2) acquire, construct and equip an addition to an existing manufacturing facility; prescribing the form and authorizing execution of a Trust Indenture by and between the City and Central Bank and Trust Company, Hutchinson, Kansas, as Trustee; prescribing the form and authorizing the execution of a lease of the project by and between the City and S&R Properties, LLC; approving the form of a Guaranty Agreement by and among S&R Properties, LLC, Typed Letters Corporation, Randal A. Johnson and Shirley A. Johnson, as Guarantors, and Central Bank and Trust Company, Hutchinson, Kansas as Trustee; approving the form of a sublease between S&R Properties, LLC and Typed Letters Corporation; authorizing the execution of a Bond Purchase Agreement between the City, S&R Properties, LLC, and Chapman Securities, Inc., Wichita, Kansas, as purchaser of the Series II, 2003 Bonds.

- c) ZON2002-67 – south of 27th Street South, east side of Seneca. (District IV)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON2002-00067

- d) ZON2002-68 – north of Kellogg and east of Meridian. (District IV)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON2002-00068

(Item 26 continued)

- e) A02-20 – corner of 13th Street North and 135th Street West, including that portion of Tyler Road between 29th Street North and 37th Street North. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A02-20

- f) A03-03 – north of Maple Street West, west of 135th Street West. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A03-03

RECOMMENDED ACTION: Adopt Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

- *27. SUB2002-52 – Plat of Shadow Woods Addition – West Side of 135th Street West, North Side of Maple. (District V)

RECOMMENDED ACTION: Approve documents and Plat; adopt Resolutions;
authorize signatures.

- *28. SUB2002-60 – Plat of Albert Acres Addition – East Side of 151st Street West, south of Central. (District V)

RECOMMENDED ACTION: Approve documents and Plat; adopt Resolutions;
authorize signatures.

- *29. SUB2002-66 – Plat of Sierra Hills Addition – East Side of 127th Street East, North of Pawnee. (District II)

RECOMMENDED ACTION: Approve documents and Plat; adopt Resolutions;
authorize signatures.

- *30. DED2003-01 – Dedication of Street Right-of-Way – Southwest Corner of MacArthur and Hoover Road. (District IV)

RECOMMENDED ACTION: Accept the Dedication; approve first reading
of Ordinance for Zoning Case 2002-59.

- *31. DED2003-02 – Dedication of Access Control on the Northwest Corner of 21st Street North and Grove. (District I)

RECOMMENDED ACTION: Accept the Dedication.

- *32. DED2003-03 – Dedication of Street Right-of-Way on the Northwest Corner of 21st Street North and Grove.
(District I)

RECOMMENDED ACTION: Accept the Dedication.

- *33. DED2003-04 and DED2003-05 – Dedications of Access Control for Property on the North Side of 21st Street North, East of Tyler Road. (District V)

RECOMMENDED ACTION: Accept the Dedications.

- *34. DED2003-06 – Dedication of Utility Easement for Property East of Hydraulic, North of 47th Street South.
(District III)

RECOMMENDED ACTION: Accept the Dedication.

- *35. A03-01 – Annex Land South of K-96, North of 37th Street North, East of North Tyler Road. (District V)

RECOMMENDED ACTION: Approve the annexation and first reading
of the Ordinance.

- *36. A03-02 – Annex Land South of 37th Street North, East of North Tyler Road. (District V)

RECOMMENDED ACTION: Approve the annexation and first reading
of the Ordinance.

- *37. A03-04 – Annex Land West of South Maize Road, North of State Highway K-42. (District IV)

RECOMMENDED ACTION: Approve the annexation and first reading
of the Ordinance.

- *38. A03-05 – Annex the Kansas Aviation Museum Site at 3350 George Washington Boulevard. (District III)

RECOMMENDED ACTION: Approve the annexation and first reading
of the Ordinance.

HOUSING AGENDA

NOTICE: The City Council is meeting as the governing body of the Housing Authority for consideration and action on items on this Agenda, pursuant to State law, HUD, and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

Inafay Grays-McClellan, Housing Member is also seated with the City Council.

39. Housing Reports:

a) Public housing capital improvements.

(Item 39 continued)

- b) Section 8 statistical monthly.
- c) Public housing occupancy.

RECOMMENDED ACTION: Receive and file.

40. 2003 HUD Budget and Operating Fund Formula.

RECOMMENDED ACTION: Approve submission of Certification; authorize signatures; adopt Resolution.

41. Section 8 Management Assessment Program.

RECOMMENDED ACTION: Receive and file.

42. 2002 Public Housing Assessment System.

RECOMMENDED ACTION: Approve submission of Certification; authorize signatures; adopt Resolution.

Adjournment
